



PLANNING COMMISSION AGENDA REPORT

VII. 3

MEETING DATE: JANUARY 12, 2009

ITEM NUMBER:

**SUBJECT: TIME EXTENSION FOR PLANNING APPLICATION PA-07-32
174 WEST WILSON STREET**

DATE: DECEMBER 31, 2008

FOR FURTHER INFORMATION CONTACT: WENDY SHIH, ASSOCIATE PLANNER 714.754.5136

DESCRIPTION

The applicant is requesting an extension of time for a conditional use permit to construct a corporate yard for the Costa Mesa Sanitary District.

APPLICANT

Robin B. Hamers is the authorized agent for the Costa Mesa Sanitary District.

RECOMMENDATION

Approve the time extension by adoption of Planning Commission resolution, subject to conditions.


WENDY SHIH
Associate Planner


KIMBERLY BRANDT, AICP
Asst. Development Services Director

BACKGROUND/ANALYSIS

The property is located near the northwest corner of Fairview Road and West Wilson Street. It is a vacant, commercially zoned parcel bounded on two sides by an Edison Substation and on one side by an existing commercial use (Hitchcrafters).

On November 26, 2007, Planning Commission on a 5-0 vote approved Conditional Use Permit PA-07-32 for the construction of a corporate yard, consisting of a two-story, 5,166 square-foot building, for the Costa Mesa Sanitary District (CMSD).

The Planning staff report and meeting minutes for the conditional use permit can be viewed on the City's website at the links below:

PA-07-32 Report

<http://www.ci.costa-mesa.ca.us/council/planning/2007-11-26/112607PA0732.pdf>

PA-07-32 Minutes

http://www.ci.costa-mesa.ca.us/council/planning/pm_071126.pdf

CMSD submitted plans for plan check on June 16, 2008, but was unable to obtain building permits prior to the expiration of the conditional use permit. The applicant states that the design phase of the project took extra time so sustainable elements could be incorporated that would allow the building to qualify for a LEED (Leadership in Energy and Environmental Design) Gold rating, which are national standards for developing high performance, environmentally sustainable buildings.

The Code allows the Commission to extend a planning application for successive periods of one year upon showing of good cause. The project is the same as that approved by the Commission in 2007 and the commercial development standards have not changed since project approval. Additionally, approval of the time extension would allow the construction of a LEED rated project.

ALTERNATIVES

If the time extension is denied, the conditional use permit will expire and the project may not be constructed as proposed. The applicant could not file a similar request for six months.

CONCLUSION

Approval of a one-year time extension would allow CMSD sufficient time to obtain building permits so the previously approved project can be constructed.

Attachments: 1 Draft Planning Commission Resolution
2 Applicant's Time Extension Request Letter
3 Location Map
4 Plans
5 Resolution No. PC-07-83

cc: Deputy City Mgr.-Dev. Svs. Director
Deputy City Attorney
City Engineer
Fire Protection Analyst
Staff (4)
File (2)

Robin B. Hamers
Costa Mesa Sanitary District
628 W. 19th Street
Costa Mesa, CA 92627

File: 011209PA0732TimeExt	Date: 123108	Time: 3:00p.m.
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ATTACHMENT 1

RESOLUTION NO. PC-09-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING AN EXTENSION OF TIME FOR PLANNING APPLICATION PA-07-32

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY
RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Robin B. Hamers, authorized agent for Costa Mesa Sanitary District, with respect to the real property located at 174 West Wilson Street, requesting approval of a time extension for a conditional use permit to construct a corporate yard for the Sanitary District, in the C1 zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on January 12, 2009; and

WHEREAS, the time extension does not change the previously-adopted findings and conditions of approval for Planning Application PA-07-32, as specified in Exhibits "A" and "B" respectively, of Resolution No. PC-07-83. These findings and conditions of approval in their entirety are still applicable to the proposed project.

BE IT RESOLVED that, based on the evidence in the record, the Planning Commission hereby **APPROVES** an extension of time for Planning Application PA-07-32 to **November 26, 2009** with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the staff report for Planning Application PA-07-32. This action is also based on the evidence in the record and findings and subject to the applicant's compliance with each and all of the conditions as specified in Resolution No. PC-07-83.

PASSED AND ADOPTED this 12th day of January 2009.

Donn Hall, Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, Kimberly Brandt, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on January 12, 2009, by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Secretary, Costa Mesa
Planning Commission

RESOLUTION NO. PC-09-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA DENYING AN EXTENSION OF TIME
FOR PLANNING APPLICATION PA-07-32**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY
RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Robin B. Hamers, authorized agent for Costa Mesa Sanitary District, with respect to the real property located at 174 West Wilson Street, requesting approval of a time extension for a conditional use permit to construct a corporate yard for the Sanitary District, in the C1 zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on January 12, 2009; and

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", the Planning Commission hereby **DENIES** a time extension for Planning Application PA-07-32 with respect to the property described above.

PASSED AND ADOPTED this 12th day of January 2009.

Donn Hall, Chair
Costa Mesa Planning Commission

EXHIBIT "A"

FINDINGS (for denial)

- A. The proposed project does not comply with Costa Mesa Municipal Code Section 13-29 (e) because:
 - a. The proposed development and use is not compatible and harmonious with uses both on site and those on surrounding properties.
 - b. Safety and compatibility of the design of the building and other site features, including functional aspects of the site development, have been considered.
 - c. The planning application is for a project-specific case and does not establish a precedent for future development.
- B. The information presented does not comply with Costa Mesa Municipal Code section 13-29(g)(2) because the proposed use is not compatible with developments in the same general area. Granting the conditional use permit will be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity. Granting the conditional use permit will allow a use, density, or intensity which is not in accordance with the general plan designation for the property.
- C. The Costa Mesa Planning Commission has denied PA-07-32. Pursuant to Public Resources Code Section 21080(b)(5) and CEQA Guidelines Section 15270(a), CEQA does not apply to this project because it has been rejected and will not be carried out.



ATTACHMENT 2

Costa Mesa Sanitary District

... an Independent Special District

Board of Directors

Art Perry
Arlene Schafer
Bob Ooten
James Ferryman
Gary Monahan

Staff

Robin B. Hamers
Manager
District Engineer
(949) 631-1731

Thomas A. Fauth
Assistant Manager

Joan Revak
Board Secretary
Program Manager
Clerk of the District

Alan R. Burns
Legal Counsel

Marcus D. Davis
Treasurer/Director of
Finance

Phone
(949) 645-8400
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(949) 650-2253

Address
628 W. 19th Street
Costa Mesa, CA
92627-2716

November 10, 2008

Mr. Mel Lee
Senior Planner
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92627

NOV 10 2008

RE: Costa Mesa Sanitary District Corporate Yard
174 W. Wilson Street, Costa Mesa
Planning Application PA-07-32

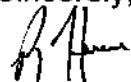
Dear Mel:

This letter is a formal request for an extension for the Conditional Use Permit for the above project. The design phase was lengthy due to incorporating the features of a LEED "Gold" project. The plans are nearly approved through Building and Engineering and the project will soon be out to bid.

As requested, enclosed is \$400.00 for the extension fee along with two sets of mailing labels for the properties within a 500-foot radius.

Thank you for your consideration and please advise when this request is accepted.

Sincerely,


Robin B. Hamers
Manager/District Engineer

cc. Tom Fauth
Joan Revak
RTA Architects

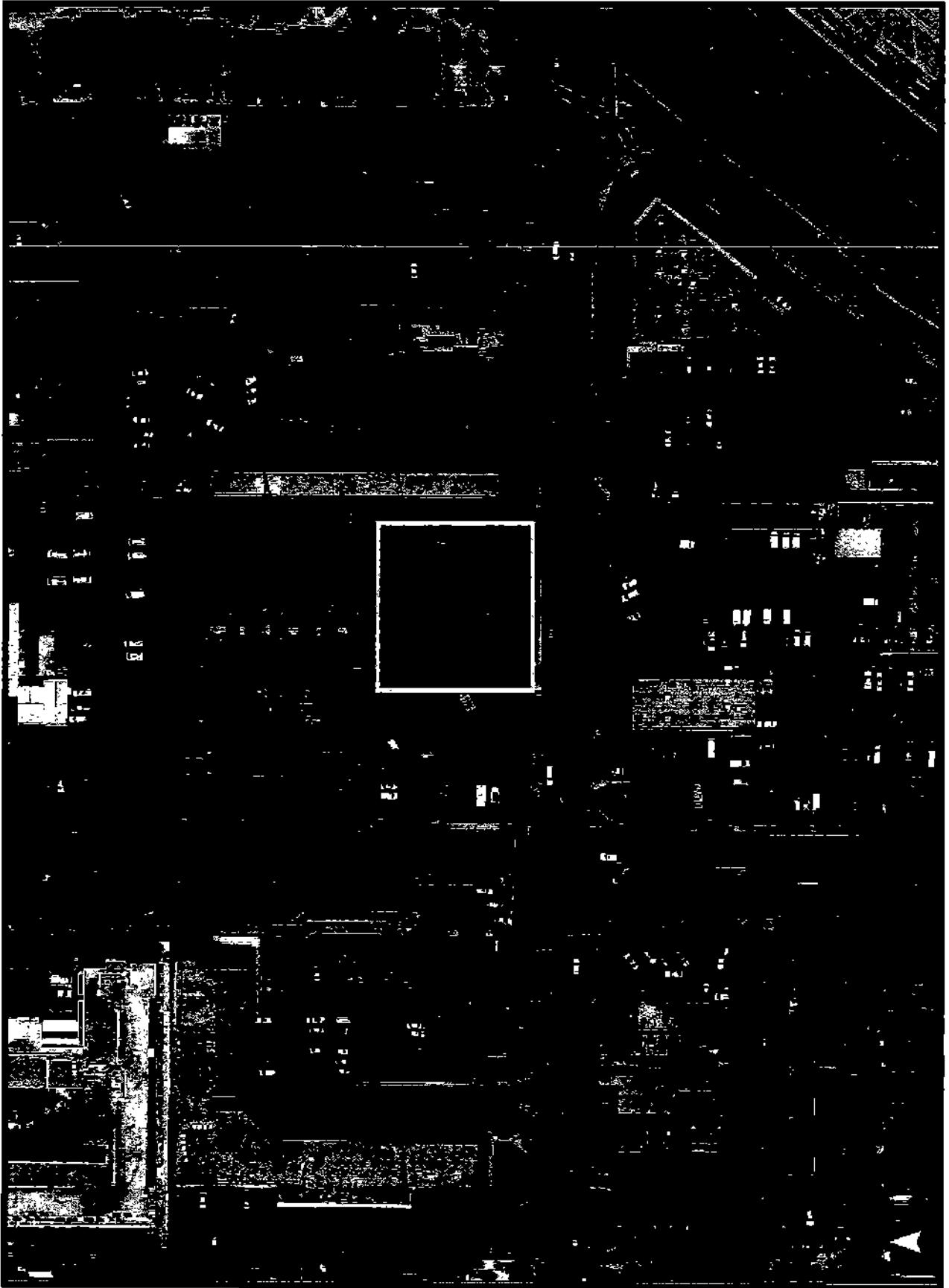


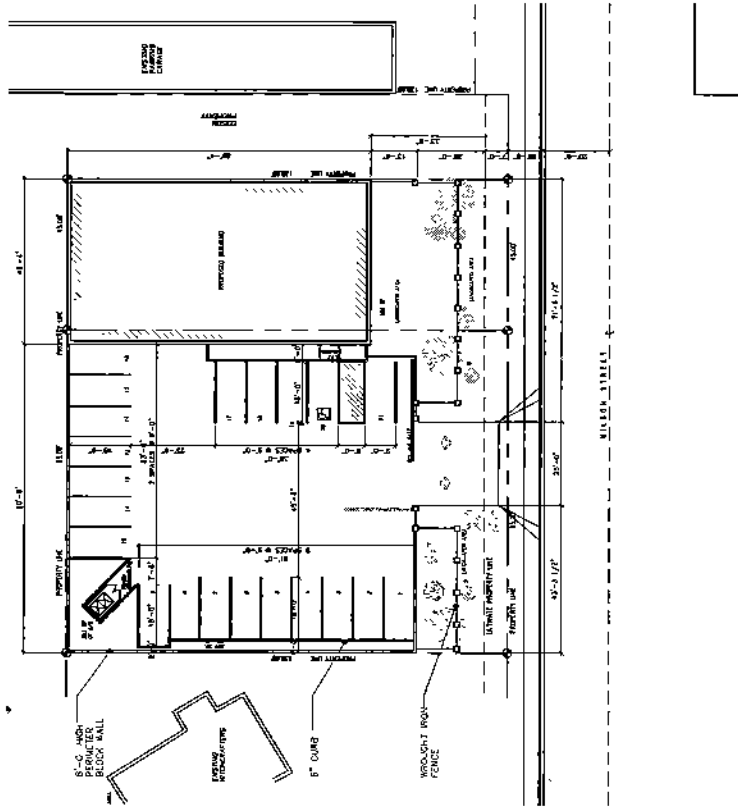
Printed on
Recycled Paper

Protecting our community's health by providing solid waste and sewer collection services.
cmsdca.gov

ATTACHMENT 3

LOCATION (AERIAL) MAP





Restrictions:

FRONT: 7'-0" ANG 0'-0"
 SIDE: 1'-0" ANG 0'-0"
 REAR: 1'-0" ANG 0'-0"
 MAX. HEIGHT: 20'-0"
 FLOOR AREA RATIO: 1.0
 PARKING: 25 STALLS/1,000 SF
 PARKING L/S: 25 STALLS

Scope:

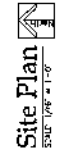
SITE AREA: 140' x 130' = 17,220 SF
 MAX. BUILDING SF: 5,166 SF

BUILDING AREA FOR CALCULATIONS:

GROUND FLOOR: 719 SF
 OFFICE: 2,503 SF
 GARAGE: 4,122 SF
 STORAGE MEZZ: 1,914 SF
 MAX. BUILDING SF: 5,166 SF
 PARKING REQUIRED: 210 STALLS
 PARKING PROVIDED: 210 STALLS
 PARKING L/S: 210 STALLS

LOT COVERAGE	SIZE	% OF LOT
BUILDING FOOTPRINT:	4,407 SF	25%
PARKING AND DRIVEWAY AREAS	2,957 SF	52%
LANDSCAPE	3,856 SF	23%
TOTALS:	17,220 SF	100%

Project Summary



**Costa Mesa Sanitary District
 Corporate Yard
 174 West Wilson Street
 Costa Mesa, California**

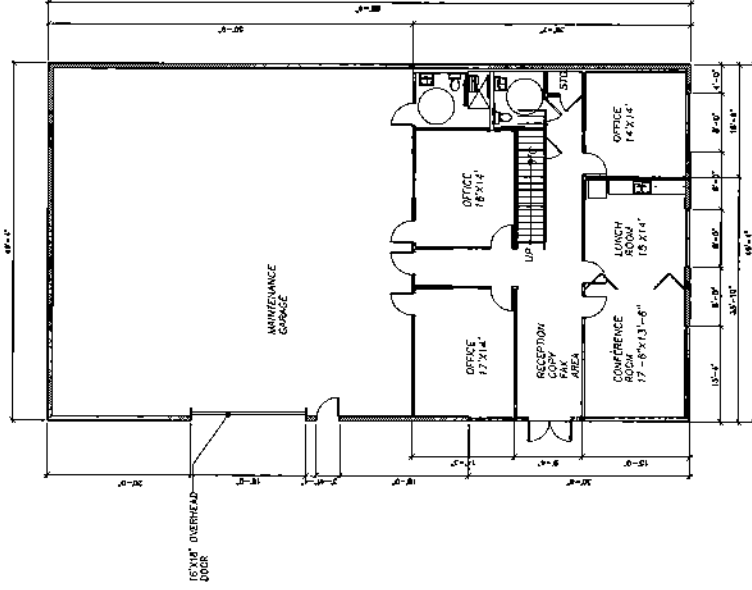
A-1

02 October 2007

RCA
 Robert Thompson Architects, Inc.
 Architects and Planners
 P.O. Box 1112
 Newport Beach, CA 92659
 (949) 450-9874

Costa Mesa Sanitary District
 628 W. 19th Street
 Costa Mesa, CA 92627
 (949) 645-8400

PA-07-32
 174 W. Wilson
 1/26/07



Mezzanine Floor



Floor Plans
SCALE 1/8" = 1'-0"

Ground Floor



Costa Mesa Sanitary District Corporate Yard 174 West Wilson Street Costa Mesa, California

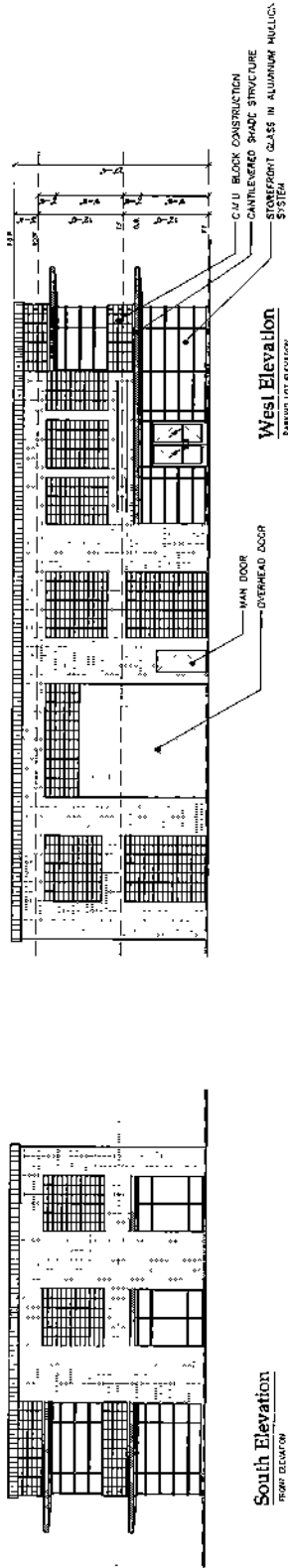
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03 October 2007

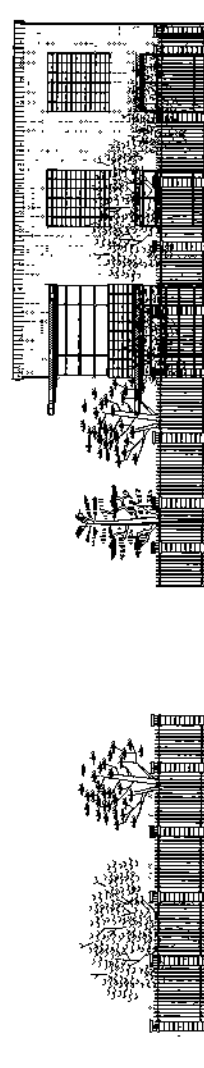


Robert Thomson Architects, Inc.
Architectural and Planning
P.O. Box 1312
Newport Beach, CA 92659
(949) 450-9574

Costa Mesa Sanitary District
628 W. 19th Street
Costa Mesa, CA 92627
(949) 645-8400



North Elevation
ELEVATION FROM SDC PROPERTY



Exterior Elevations
SCALE 1/8" = 1'-0"

Costa Mesa Sanitary District Corporate Yard 174 West Wilson Street Costa Mesa, California

A-3

03 OCTOBER 2007



Robert Thornton Architects, Inc.
Architectural and Planning
1000 N. 10th Street
Costa Mesa, CA 92627
(949) 440-0871

Costa Mesa Sanitary District
628 W. 19th Street
Costa Mesa, CA 92627
(949) 645-8400

ATTACHMENT 5

RESOLUTION NO. PC-07-*83*

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA APPROVING PLANNING
APPLICATION PA-07-32**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY
RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Robert Thorton, representing the Costa Mesa Sanitary District, owner of real property located at 174 W. Wilson Street, requesting approval of a conditional use permit to allow a corporate yard for the Costa Mesa Sanitary District; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on November 26, 2007;

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", and subject to the conditions contained in Exhibit "B", the Planning Commission hereby **APPROVES** Planning Application PA-07-32 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this resolution is expressly predicated upon the activity as described in the staff report for PA-07-32 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B". Should any material change occur in the operation, or should the applicant fail to comply with the conditions of approval, then this resolution, and any recommendation for approval herein contained, shall be deemed null and void.

PASSED AND ADOPTED this 26th day of November, 2007.



Donn Hall, Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

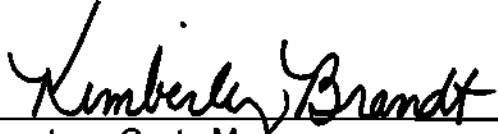
I, Kimberly Brandt, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on November 26, 2007, by the following votes:

AYES: COMMISSIONERS: HALL, FISLER, CLARK, EGAN, RIGHEIMER

NOES: COMMISSIONERS: NONE

ABSENT: COMMISSIONERS: NONE

ABSTAIN: COMMISSIONERS NONE



Secretary, Costa Mesa
Planning Commission

EXHIBIT "A"

FINDINGS

- A. The proposed project complies with Costa Mesa Municipal Code Section 13-29(e) because:
1. The proposed use is compatible and harmonious with uses on surrounding properties.
 2. Safety and compatibility of the design of the parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.
 3. The project is consistent with the General Plan.
 4. The planning application is for a project-specific case and does not establish a precedent for future development.
- B. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(2) in that the proposed use is substantially compatible with developments in the same general area. Granting the conditional use permit will not be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity. Specifically, the facility will be used by the Costa Mesa Sanitary District and the proposed building and improvements comply with all applicable development standards. The facility is sufficiently separated from residential buildings. Granting the conditional use permit will not allow a use, density or intensity, which is not in accordance with the general plan designation for the property.
- C. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA under Section 15332 for In-Fill Development Projects.
- D. The project, as conditioned, is consistent with Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code in that the development project's traffic impacts will be mitigated by the payment of traffic impact fees.

EXHIBIT "B"**CONDITIONS OF APPROVAL**

- Plng.
1. Address assignment shall be requested from the Planning Division prior to submittal of working drawings for plan check. The approved address of individual units, suites, buildings, etc., shall be blueprinted on the site plan and on all floor plans in the working drawings.
 2. The conditional use permit herein approved shall be valid until revoked. However, the conditional use permit shall expire at the end of one (1) year unless a business license is obtained and/or the business legally commences or the applicant applies for and is granted an extension of time. The conditional use permit may be referred to the Planning Commission for modification or revocation at any time if the conditions of approval have not been complied with, if the use is operated in violation of applicable laws or ordinances or, if in the opinion of the Development Services Director or his designee, any of the findings upon which the approval was based are no longer applicable. Nothing in this condition shall exempt the applicant from complying with any time limits applied to any construction authorized by this application.
 3. Construction activities shall not occur outside the hours of 7 a.m. and 8 p.m., Monday through Friday, and 8 a.m. to 6 p.m. on Saturdays. No construction shall occur on Sundays and federal holidays. Exceptions may be made for activities that will not generate noise audible from off-site, such as painting and other quiet interior work.
 4. Street setback landscape planters shall have approved turf and/or ground cover on the street side front half of the planter and shrubbery plantings and trees on the back half. The number of trees and shrubs shall comply with Costa Mesa Municipal Code Section 13-106 for required landscaping materials.
 5. Installation of any 6-foot or higher solid opaque walls visible from the street shall be consistent with the City's Streetscape and Median Standards; specifically, Orco slumpstone block in the "La Paz" color with a brick trim cap. Vines (Creeping Fig and Boston Ivy) shall be grown on the wall to discourage graffiti.
 6. The applicant shall contact the Planning Division to arrange a Planning inspection of the site prior to the release of occupancy/utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
 7. The subject property's ultimate finished grade level may not be filled/raised unless necessary to provide proper drainage, and in no case shall it be raised in excess of 30 inches above the finished grade of any abutting property. If additional fill dirt is

needed to provide acceptable on-site stormwater flow to a public street, an alternative means of accommodating that drainage shall be approved by the City's Building Official prior to issuance of any grading or building permits. Such alternatives may include subsurface tie-in to public stormwater facilities, subsurface drainage collection systems and/or sumps with mechanical pump discharge in-lieu of gravity flow. If mechanical pump method is determined appropriate, said mechanical pump(s) shall be continuously maintained in working order. In any case, development of subject property shall preserve or improve the existing pattern of drainage on abutting properties.

8. The conditions of approval and ordinance or code provisions of Planning Application PA-07-32 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
9. No exterior roof access ladders, roof drain scuppers, or roof drain downspouts shall be permitted.
10. Show method of screening for all ground-mounted mechanical equipment (backflow prevention devices, Fire Department connections, electrical transformers, etc.). Ground-mounted electrical and mechanical equipment shall not be located in any landscaped setback visible from the street.
11. Cornices and other architectural elements shall be wrapped around to the side and rear of building facades.
12. Every effort shall be made to follow sustainable building practices in the construction of the building and development of the project site. Compliance and certification with the United States Green Building Council's LEED program is highly encouraged.
- Eng. 13. Maintain the public right-of-way in a "wet down" condition to prevent excessive dust and remove any spillage from the public right-of-way by sweeping or sprinkling.
- Trans. 14. Rolling gate shall be automatically operated by entering vehicles to prevent vehicles from blocking public sidewalk and street.